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**UNITED STATES DISTRICT COURT**

## **DISTRICT OF NEVADA**

REBECCA LEMPERLE, individually, )  
Plaintiff, ) CASE NO. 2:18-cv-00202-JCM-CWH  
vs. )  
VINCENT TJOTA, individually; DOES I-X, ) **AMENDED COMPLAINT**  
and ROE CORPORATIONS I-X, inclusive, )  
Defendants. )

Plaintiff REBECCA LEMPERLE, by and through her attorney of record, PAUL D. POWELL, ESQ., of THE POWELL LAW FIRM, complains against Defendants as follows:

## **GENERAL ALLEGATIONS**

1. Plaintiff REBECCA LEMPERLE ( hereinafter "Plaintiff") is, and at all times mentioned herein, was, a resident of the County of Clark, State of Nevada.
  2. Defendant VINCENT TJOTA is, and at all times mentioned herein, was, a resident of Singapore.

- 1       3. The true names and capacities of the Defendants designated herein  
2                  as Doe or Roe Corporations are presently unknown to Plaintiff at this  
3                  time, who therefore sues said Defendants by such fictitious names.  
4                  When the true names and capacities of these Defendants are  
5                  ascertained, Plaintiff will amend this Complaint accordingly.
- 6       4. At all times pertinent, Defendants were agents, servants, employees  
7                  or joint venturers of every other Defendant herein, and at all times  
8                  mentioned herein were acting within the scope and course of said  
9                  agency, employment, or joint venture, with knowledge and  
10                 permission and consent of all other named Defendants.
- 11      5. On April 30, 2016, in Clark County, Nevada, Defendant VINCENT  
12                 TJOTA negligently caused a crash with Plaintiff.
- 13      6. As a direct and proximate result of Defendants' negligence, Plaintiff  
14                 sustained injuries to Plaintiff's shoulders, back, bodily limbs, organs  
15                 and systems, all or some of which conditions may be permanent and  
16                 disabling, and all to Plaintiff's damages in a sum in excess of  
17                 \$15,000.00.
- 18      7. As a direct and proximate result of Defendants' negligence, Plaintiff  
19                 received medical and other treatment for the aforementioned injuries,  
20                 and said services, care and treatment are continuing and shall  
21                 continue in the future, all to the damages of Plaintiff.
- 22      8. As a direct and proximate result of Defendants' negligence, Plaintiff  
23                 has been required to, and have limited occupation and recreational

1 activities, which have caused and shall continue to cause Plaintiff  
2 loss of earning capacity, lost wages, physical impairment, mental  
3 anguish, and loss of enjoyment of life, in a presently unascertainable  
4 amount.

- 5
- 6 9. As a direct and proximate result of Defendants' negligence, Plaintiff's  
7 vehicle was damaged and Plaintiff lost the use of that vehicle.
- 8 10. As a direct and proximate result of the Defendants' negligence,  
9 Plaintiff has been required to engage the services of an attorney,  
10 incurring attorney's fees and costs to bring this action.

11

12 **FIRST CAUSE OF ACTION**

- 13 11. Plaintiff incorporates paragraphs 1 through 10 of the Complaint as  
14 though said paragraphs were fully set forth herein.
- 15 12. Defendants owed Plaintiff a duty of care to operate the Vehicle in a  
16 reasonable and safe manner. Defendants breached that duty of care  
17 by striking Plaintiff's vehicle on the roadway. As a direct and  
18 proximate result of Defendants' negligence, Plaintiff has been  
19 damaged in an amount in excess of \$15,000.00.
- 20
- 21

22

23 **SECOND CAUSE OF ACTION**

- 24 13. Plaintiff incorporates paragraphs 1 through 12 of the Complaint as  
25 though said paragraphs were fully set forth herein.
- 26 14. The acts of Defendants as described herein violated the traffic laws of  
27 the State of Nevada and Clark County, constituting negligence per se,
- 28

and Plaintiff has been damaged as a direct and proximate result thereof in an amount in excess of \$15,000.00.

WHEREFORE, Plaintiff expressly reserves the right to amend this Complaint prior to or at the time of trial of this action to insert those items of damage not yet fully ascertainable, pray judgment against all Defendants, and each of them, as follows:

1. For general damages sustained by Plaintiff in an amount in excess of \$15,000.00;
  2. For special damages sustained by Plaintiff in an amount in excess of \$15,000.00;
  3. For property damages sustained by Plaintiff;
  4. For reasonable attorney's fees and costs;
  5. For interest at the statutory rate; and
  6. For such other further relief as the Court deems just and proper.

DATED this 14<sup>th</sup> day of May, 2019.

THE POWELL LAW FIRM

*/s/ Paul D. Powell*

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1                   **CERTIFICATE OF MAILING**

2                   I hereby certify that on the 14<sup>th</sup> day of May, 2019, a true and correct copy  
3 of the foregoing **PLAINTIFF'S AMENDED COMPLAINT** was served via electronic  
4 service by the U.S. District Court Cm/ECF system to the parteis with an email  
5 address on record, and by U.S.. Mail as follows:

6                   Josh Cole Aicklen, Esq.  
7                   Stephen L. Titzer, Esq.  
8                   LEWIS BRISBOIS BISGAARD & SMITH LLP  
9                   6385 S. Rainbow Boulevard, Suite 600  
10                  Las Vegas, Nevada 89118  
11                  Attorneys for Defendant Avis

12                  */s/ Lauren Pellino*

13                  An Employee of THE POWELL LAW FIRM